UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,839	02/25/2002	Hiroharu Takahashi	03500.016228	4333

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EXAMINER
TRAN, PHILIP B

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
		10/081,839	TAKAHASHI, HIROHARU
Office Action Summary		Examiner	Art Unit
		Philip B. Tran	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 January 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-8,10-21,23-25 and 27-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-8, 10-21, 23-25 and 27-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>4/15/02 & 7/7/05</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

Response to Amendment

Notice to Applicant

1.   This communication is in response to Remarks filed 12 January 2006. Claims 1,
3, 8, 15, 18, 21, 25 and 29-30 have been amended. Claims 2, 9, 22 and 26 have been
previously canceled. Therefore, claims 1, 3-8, 10-21, 23-25 and 27-30 are pending for
further examination.

2.   Information Disclosure Statement (IDS) filed on 15 April 2002 has no attached
PTO-1449 form in order for the examiner to considered. Appropriate correction is
required.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of
the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of
the various claims was commonly owned at the time any inventions covered therein
were made absent any evidence to the contrary. Applicant is advised of the obligation
under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was
not commonly owned at the time a later invention was made in order for the examiner to
consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)
prior art under 35 U.S.C. 103(a).

3.   Claim 1, 3-5, 7, 10-21, 23-25 and 27-30 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Yanagidaira, U.S. Pat. No. 6,490,052.

Regarding claim 1, Yanagidaira teaches a network interface apparatus which is

connected to an image processing apparatus and communicates with an external

apparatus, comprising:

a providing unit adapted to provide display data necessary for constructing a

picture plane for displaying or setting apparatus information of the image processing

apparatus to the external apparatus (= main control unit 1 in connection with web server

unit 11) [see Fig. 1 and Abstract];

a holding unit adapted to hold language information indicative of a selected

language among a plurality of kinds of languages (= database 6) [see Fig. 1]; and

a data obtaining unit adapted to obtain the display data from the image

processing apparatus if the display data necessary for constructing the picture plane

depends on an apparatus type of the image processing apparatus and to obtain the

display data from said network interface apparatus if the display data necessary for

constructing the picture plane does not depend on the apparatus type of the image

processing apparatus (= main controller 1 manages frames data for constructing

images) [see Col. 6, Lines 8-52],

wherein said providing unit provides the designated display data corresponding

to the language indicated by the language information held by said holding unit to the

external apparatus (= sending to the web server 11 and transferring to the browser 12

for displaying) [see Fig. 1 and Col. 5, Lines 29-65].

Yanagidaira does not explicitly teach data obtaining unit designates the display data based on the language information held by said holding unit to obtain the display data corresponding to the language indicated by the language information held by said holding means from the image processing apparatus. However, it would have been obvious to one of skilled in the art at the time of the invention was made to have a selection display including a variety of language options indicated by the language information held by said holding means from the image processing apparatus for setting purposes.

Regarding claim 3, Yanagidaira further teaches an apparatus according to claim 1, wherein said providing means provides the display data necessary for constructing a picture plane for selecting the language from among the plurality of kinds of languages, and said holding unit holds the language information indicative of the language selected on the picture plane [see Col. 5, Lines 9-34].

Regarding claim 4, Yanagidaira further teaches an apparatus according to claim 1, wherein said providing unit provides the display data by using an HTTP (Hyper Text Transfer Protocol), and wherein said data obtaining unit discriminates whether the requested data is type-dependent data which depends on the apparatus type of the image processing apparatus or type-independent data on the basis of a URL (Uniform Resource Locator) of the requested data, obtains the type-dependent data from the image processing apparatus if the requested data is the type-dependent data, and

obtains the type-independent data from said network interface apparatus if the

requested data is the type-independent data [see Col. 5, Line 35 to Col. 6, Line 66].

Regarding claim 5, Yanagidaira further teaches an apparatus according to claim

1, wherein the picture plane displays information regarding a paper feed, information

regarding a paper delivery, and error information [see Fig. 9].

Regarding claim 7, Yanagidaira further teaches an apparatus according to claim

1, wherein the image processing apparatus is a printer and said network interface

apparatus is a network card which can be connected to a plurality of kinds of printers

[see Fig. 1].

Claim 8 is rejected under the same rationale set forth above to claim 1. In

addition, Yanagidaira further teaches obtaining means for obtaining shipping destination

information showing to which place said image processing apparatus is shipped (= web

server 11 receives URL request from the browser for sending printer settings

information to display) [see Col. 7, Lines 12-47].

Regarding claim 10, Yanagidaira further teaches an apparatus according to claim

8, wherein said obtaining unit requests the shipping destination information from the

image processing apparatus [see Fig. 1].

Claim 11 is rejected under the same rationale set forth above to claim 4.

Claim 12 is rejected under the same rationale set forth above to claim 5.

Claim 14 is rejected under the same rationale set forth above to claim 7.

Regarding claim 15, Yanagidaira further teaches an image processing apparatus

which is connected to a network interface apparatus for controlling data communication

with an external apparatus, comprising:

storing unit adapted to store type-dependent data which depends on a type of

said image processing apparatus in display data necessary for constructing a picture

plane for displaying or setting apparatus information of said image processing

apparatus (= database 6) [see Fig. 1]; and

transfer unit adapted to transfer the type-dependent data stored in said storing

unit to the network interface apparatus in accordance with a request from the network

interface apparatus (= main control unit 1 in connection with web server unit 11) [see

Fig. 1 and Abstract],

wherein the network interface apparatus provides the designated type-dependent

data transferred from said image processing apparatus to the external apparatus (=

main controller 1 manages frames data for constructing images and sends to the web

server 11 and transfers to the browser 12 for displaying) [see Fig. 1 and Col. 5, Lines

29-65 and Col. 6, Lines 8-52].

Yanagidaira does not explicitly teach designating the type-dependent data based

on a language selected from among a plurality of kinds of languages wherein the

transfer unit transfers the designated type-dependent data corresponding to the

selected language to the network interface apparatus. However, it would have been

obvious to one of skilled in the art at the time of the invention was made to have a

selection display including a variety of language options indicated by the language

information held by said holding means from the image processing apparatus for setting

purposes.

Regarding claim 16, Yanagidaira further teaches an apparatus according to claim

15, wherein in accordance with the request from the network interface apparatus, said

transfer unit transfers the type-dependent data stored corresponding to the selected

language in the type-dependent data stored in said storing unit to the network interface

apparatus [see Col. 5, Line 35 to Col. 6, Line 52].

Claim 17 is rejected under the same rationale set forth above to claim 7.

Claim 18 is rejected under the same rationale set forth above to claim 15. In

addition, Yanagidaira further teaches memory means for storing shipping destination

information showing to which place said image processing apparatus is shipped and

first transfer means for transferring the shipping destination information stored in said

memory means in accordance with a request from said network interface apparatus (=

web server 11 receives URL request from the browser and sends it to the main control

unit 1 for obtaining printer settings information from the database and then forwards to

the browser for displaying) [see Fig. 1 and Abstract and Col. 7, Lines 12-47].

Regarding claim 19, Yanagidaira further teaches an apparatus according to claim

18, wherein said second transfer unit transfers the type-dependent data corresponding

to the shipping destination information stored in said memory unit in the type-dependent

data stored in said storing unit to said network interface apparatus in accordance with

the request from the network interface apparatus [see Col. 5, Line 35 to Col. 6, Line 52].

Claim 20 is rejected under the same rationale set forth above to claim 7.

Claim 21 is rejected under the same rationale set forth above to claim 18. In

addition, Yanagidaira further teaches allowing said network interface apparatus to

provide display data that is data in which a picture plane for displaying and setting

apparatus information of said image processing apparatus has been described and that

corresponds to a language shown by held language information [see Fig. 1 and Col. 5,

Line 9 to Col. 6, Line 52].

Regarding claim 23, Yanagidaira further teaches a method according to claim 21,

wherein said network interface apparatus provides the display data in which a picture

plane for selecting the language has been described and holds the language

information showing the language selected on said picture plane [see Fig. 8].

Claim 24 is rejected under the same rationale set forth above to claim 7.

Claim 25 is rejected under the same rationale set forth above to claim 21. In addition, Yanagidaira further teaches allowing said network interface apparatus to provide display data that is data in which a picture plane for displaying and setting apparatus information of said image processing apparatus has been described and that corresponds to shipping destination information showing to which place said image processing apparatus is shipped (= web server 11 receives URL request from the browser and sends it to the main control unit 1 for obtaining printer settings information from the database and then forwards to the browser for displaying) [see Fig. 1 and Abstract and Col. 7, Lines 12-47]. Claim 25 is even broader than claim 21 by not including the limitation of designating the display data based on a language selected from among a plurality of kinds of languages to request the display data corresponding to the selected language from the image processing apparatus.

Regarding claim 27, Yanagidaira further teaches a method according to claim 25, wherein said network interface apparatus requests the shipping destination information from the image processing apparatus [see Fig. 1].

Claim 28 is rejected under the same rationale set forth above to claim 7.

Claim 29 is rejected under the same rationale set forth above to claim 1.

Claim 30 is rejected under the same rationale set forth above to claim 8.

4.   Claim 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Yanagidaira, U.S. Pat. No. 6,490,052 in view of Teng et al (Hereafter, Teng), U.S. Pat.

No. 6,240,456.

Regarding claim 6, Yanagidaira does not explicitly teach an apparatus according

to claim 1, wherein said type-dependent data is image data showing an external view of

the connected image processing apparatus. However, Teng, in the same field of

collecting printer administration endeavor, discloses type-dependent data is image data

showing an external view of the connected image processing apparatus (printers) [see

Teng, Fig. 13]. It would have been obvious to one of ordinary skill in the art at the time

of the invention was made to incorporate the teaching of Teng into the teaching of

Yanagidaira in order to enable the administrator or user to visualize the monitoring

devices connected to the network and thus quickly identify the devices with their

locations and associated problems.

Claim 13 is rejected under the same rationale set forth above to claim 6.

Response to Arguments

3.   Applicant's arguments have been fully considered but they are not persuasive

because of the following reasons:

Yanagidaira teaches a network interface apparatus which is connected to an image processing apparatus and communicates with an external apparatus, comprising a providing unit adapted to provide display data necessary for constructing a picture plane for displaying or setting apparatus information of the image processing apparatus to the external apparatus. For example, Yanagidaira discloses main control unit 1 in connection with web server unit 11 [see Yanagidaira, Fig. 1 and Abstract]. In addition, Yanagidaira teaches a holding unit adapted to hold language information indicative of a selected language among a plurality of kinds of languages. That is, database 6 [see Yanagidaira, Fig. 1].

Moreover, Yanagidaira further teaches a data obtaining unit adapted to obtain the display data from the image processing apparatus if the display data necessary for constructing the picture plane depends on an apparatus type of the image processing apparatus and to obtain the display data from said network interface apparatus if the display data necessary for constructing the picture plane does not depend on the apparatus type of the image processing apparatus. For example, Yanagidaira discloses main controller 1 manages frames data for constructing images [see Yanagidaira, Col. 6, Lines 8-52], wherein said providing unit provides the designated display data corresponding to the language indicated by the language information held by said holding unit to the external apparatus. That is, sending to the web server 11 and transferring to the browser 12 for displaying [see Yanagidaira, Fig. 1 and Col. 5, Lines 29-65].

Yanagidaira does not explicitly teach data obtaining unit designates the display data based on the language information held by said holding unit to obtain the display data corresponding to the language indicated by the language information held by said holding means from the image processing apparatus. However, it would have been obvious to one of skilled in the art at the time of the invention was made to have a selection display including a variety of language options indicated by the language information held by said holding means from the image processing apparatus for setting purposes.

Applicant argues that the "language monitors" of Yanagidaira have nothing to do with human languages, but are used to extract and store printer status information from communication streams. As such, Yanagidaira cannot possibly disclose the language management features of the present invention. The examiner respectfully disagrees.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., human languages) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, **988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).**

Some of the claims even have no limitations of "data obtaining unit designates the display data based on the language information held by said holding unit to obtain the display data corresponding to the language indicated by the language information held by said holding means from the image processing apparatus" as argued by applicant. For example, claim 15 does not even mention anything about languages and,

of course, does not claim human language management features as argued by applicant.

Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter recited in independent claims. Dependent claims are also rejected at least by virtue of dependency on independent claims and by other reasons shown above. Accordingly, claims 1, 3-8, 10-21, 23-25 and 27-30 are respectfully rejected.

Conclusion

4.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION. IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE STATUTORY PERIOD FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE MAILING DATE OF THIS FINAL ACTION.

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

6.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip Tran

Philip B. Tran
Primary Examiner
Art Unit 2155
March 30, 2006